

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

TEAMSTERS LOCAL 456 PENSION, HEALTH
& WELFARE, ANNUITY, EDUCATION &
TRAINING, INDUSTRY ADVANCEMENT,
AND LEGAL SERVICES FUNDS by Louis A.
Picani, Joseph Sansone, Dominick Cassanelli, Jr.,
Ross Pepe, and Jeffrey Isaacs as Trustees and
fiduciaries of the Funds, and WESTCHESTER
TEAMSTERS LOCAL UNION NO. 456,

Plaintiffs,

-against-

PCI INDUSTRIES CORP. and ROBERT
PERSICO, Individually,

Defendants.

ORDER

21-CV-09316 (PMH)

PHILIP M. HALPERN, United States District Judge:

The Court held an in-person conference on February 28, 2023 regarding Plaintiffs' Motion for Entry of a Judgment by Confession (Doc. 45), as discussed in further detail on the record:

1. Plaintiffs represented to the Court that they are withdrawing their Motion for Entry of a Judgment by Confession. The Clerk of Court is directed to terminate the motion sequence pending at Doc. 45.
2. Plaintiffs shall not renew their Motion for Entry of a Judgment by Confession or otherwise seek relief or enforcement of the Order on the Stipulation of Conditional Discontinuance entered by this Court on August 29, 2022 (Doc. 36, hereafter, "Settlement Agreement") without first meeting and conferring with Defendants' counsel. Plaintiffs shall file a letter requesting a pre-motion conference before seeking any relief concerning or enforcement of the Settlement Agreement. Plaintiffs shall certify in their pre-motion conference letter that the parties have met

and conferred, identifying the date and amount of time spent. Defendants shall file a response to Plaintiffs' pre-motion letter within three (3) days of any such letter being filed.

3. Plaintiffs may not seek relief concerning or the enforcement of the terms and conditions of the Settlement Agreement based upon the amount of any future contribution obligations of Defendants to Plaintiffs.

SO ORDERED.

Dated: White Plains, New York
February 28, 2023

A handwritten signature in black ink, appearing to read 'Philip M. Halpern', written over a horizontal line.

PHILIP M. HALPERN
United States District Judge